IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION

LESLIE LLOYD MOSS, PRO SE, also known as LESLIE L. MOSS, TDCJ-CID No. 896113,	\$ \$ \$	
Plaintiff, v.	\$ \$ \$ \$	2:09-CV-0110
JEFFREY A. BROWN, ET AL. Defendants.	§ § §	

ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND ORDER OF DISMISSAL

Plaintiff LESLIE LLOYD MOSS, acting pro se and while a prisoner confined in the Texas Department of Criminal Justice, Correctional Institutions Division, filed suit pursuant to Title 42, United States Code, section 1983 complaining against numerous defendants employed by or otherwise associated with the Texas Department of Criminal Justice, Correctional Institutions Division, and was granted permission to proceed in accord with Title 28, United States Code, section 1915(b).

Plaintiff originally filed suit against five defendants. His claims against all defendants were summarily dismissed on January 8, 2010, pursuant to Title 28 United States Code, section 1915(e)(2). *See Moss v. Brown*, No. 2:09-CV-110-J, 2010 WL 92431(N.D. Tex. Jan. 8, 2010), rev'd in part on other grounds, 409 F. App'x 732 (5th Cir. 2010). Plaintiff appealed and on December 15, 2010, the Fifth Circuit Court of Appeals affirmed in part and vacated in part, and remanded. The portions of the case which were vacated in part and remanded were the claims against defendants BROWN and PONDER.

On March 12, 2012, the Magistrate Judge issued a Report and Recommendation addressing the remaining claims, recommending that the Motion for Summary Judgment by defendants BROWN and PONDER be granted and this cause be dismissed with prejudice.

No objections to the March 12, 2012 Report and Recommendation have been filed by either party; and the response period has expired.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation.

The Court is of the opinion that the Report and Recommendation of the United States

Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

IT IS THEREFORE ORDERED that defendants BROWN and PONDER's Motion for Summary Judgment is GRANTED and the Civil Rights Complaint by plaintiff LESLIE LLOYD MOSS is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk will mail a copy of this Order to the plaintiff, and to any attorney of record by first class mail.

It is SO ORDERED.

Signed this the

day of March, 2012.

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MARY LOU ROBINSON
United States District Judge